

17114 U.S. PTO
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PATENT

Attorney Docket 044921-5004-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Patent and Trademark Office
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

CONTINUATION PATENT APPLICATION TRANSMITTAL UNDER 37 C.F.R. 1.53(b)

This is a request for filing a Continuation patent application under 37 C.F.R. 1.53(b).

1. This application is a Continuation Patent Application under 37 C.F.R. 1.53 of pending prior application No. 09/674,607 filed on November 14, 2001 of:

Inventors: 1. Yatindra Prashar, Monmouth Junction, NJ
2. Sherman M. Weissman, New Haven, CT

For: **Process to Study Changes in Gene Expression in T Lymphocytes**

Prior Application: 09/674,607

Examiner: Carla J. Meyers

Group Art Unit: 1634

2. The papers enclosed are as follows:

A new continuation application:

57 Pages of specification including
48 Pages of description
09 Pages of claims
08 Sheets of Drawings (Figures 1 to 5)
10 Pages of Sequence Listing

3. Additional Papers Filed:

(i) Copy of Declaration
(ii) Preliminary Amendment
(iii) Request to Transfer Sequence Listing

4. Oath or Declaration: A copy of an oath or declaration from a prior application is enclosed under 37 C.F.R. 1.63(d). The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied is considered a part of the disclosure of the accompanying application and is hereby incorporated by reference herein.

5. Assignment: The prior application is assigned of record to Gene Logic Inc. at Reel/Frame 012306/0192 on November 14, 2001

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6. **Extension of Time in Parent Application No. 09/674,607:** For the purposes of maintaining copendency between prior application 09/674,607 and this continuation application, Applicants petition for a five-month extension of time from November 21, 2005 to April 21, 2006, the fee for which is \$1,080.00 as set forth in 37 C.F.R. 1.17(a). If Applicants have inadvertently overlooked the need for an additional extension of time, please consider this a Petition therefore.
7. **Relate Back (35 U.S.C. 120):** Please see the attached Preliminary Amendment.
8. **Amendments:** Prior to calculation of the application filing fees, please see the attached Preliminary Amendment cancelling claims 3, 13 to 16, 18, 24 to 26 and 29 to 33.
9. **Fee Calculation (37 C.F.R. 1.16):**

APPLICATION FILING FEES FOR FEE CALCULATION				
Basic Application Filing Fee				\$300.00
Application Size Fee				\$00.00
Search Fee				\$500.00
Examination Fee				\$200.00
Sub-total =				\$00.00
CLAIMS FOR FEE CALCULATION				
	Number Filed	Extra	at Rate of	
Total Claims	20 - 20	0	\$50.00 each =	\$00.00
Independent Claims	8 - 3	5	\$200.00 each =	\$00.00
Multiple dependent claims			\$360.00	\$00.00
Sub-total =				\$00.00
Reduction by ½ for filing by a small entity				-\$00.00
Total Filing Fee =				\$00.00

10. **Fee Payment:** The Commissioner is hereby authorized to charge \$1,080.00 to Deposit Account No. 50-0310 for payment of the five-month extension of time fee, at the small entity rate, in prior application 09/674,607.

The application filing fee is not being paid by at this time. This application is being filed under the provisions of 37 C.F.R. 1.53(f). Applicants await notification from the Patent and Trademark Office of the time set for paying the filing fee.

11. Please address all correspondence to Morgan, Lewis & Bockius LLP at Customer No. 009629.
12. **Except** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be an **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Please accord this new U.S. Continuation Application a serial number and filing date.

Dated: April 21, 2006
Morgan, Lewis & Bockius LLP
Customer No. 09629
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
202-739-3000

Respectfully submitted
Morgan, Lewis & Bockius LLP

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